

Translation of the pertinent portions of a Notification Regarding the Forwarding of the International Search Report and the Written Decision of the International Search Authority or the Declaration, mailed 05/12/2005

This International Search Report comprises a total of 5 pages. Copies of the prior art documents cited in this report are also enclosed.

4. Regarding the **Title of the Invention**:

The wording submitted by the applicant is approved.

5. Regarding the **Abstract**:

The wording has been determined by the Authority in accordance with Rule 38.2b) in the version indicated in Field IV.

6. Regarding the **Drawings**:

a. Fig. 1 is to be published with the abstract, as selected by the Authority, since the applicant did not propose a drawing.

WRITTEN DECISION OF THE INTERNATIONAL SEARCH AUTHORITY

1. This decision contains information regarding the following items:

Field I Basis of the Notification

Field V Substantiated Determination under Rule 43bis.1(a)(i) regarding novelty, inventive steps and industrial applicability; documents and explanations to support this determination

Field VI Specifically cited documents

Field I

[No entries marked in this section]

Field V Substantiated Determination under Rule 43bis.1(a)(I) Regarding Novelty, Inventive Steps and Industrial Applicability; Documents and Explanations to Support this Determination

1. Determination

Novelty Yes: Claims 4-89
 No: Claims 1-3

Inventive Step Yes: Claims
 No: Claims 1-89

Industrial Applicability Yes: Claims 1-89
 No: Claims

2. Documents and Explanations
See attached text

Field VI Specifically Cited Documents

1. Specifically cited documents (Rules 43bis.1 and 70.10)

And/or

2. Non-written disclosures (Rules 43bis.1 and 70.9)

See Form 210

WRITTEN DECISION OF THE INTERNATIONAL SEARCH OFFICE (ATTACHED SHEET)

Re: Item V.

1. Reference is made to the following documents:
D1: DE 102 44 043 A1 (KOENIG & BAUER AG) 26 June 2003 (06/26/2003)
D2: US-A-5 323 703 (BLASER ET AL) 28 June 1994 (06/28/1994)
D3: US-A-6 098 542 (DUFOUR ET AL) 8 August 2000 (08/08/2000)
D4: US-A-5 819 656 (GERTSCH ET AL) 13 October 1998 (10/13/1998)
D5: US 2003/089254 A1 (REDER WOLFGANG OTTO ET AL) 15 May 2003
(05/15/2003)
D6: US-A-3 131 631 (JR. LAWRENCE H. HASKIN,) 5 May 1964 (05/05/1964)
D7: US-A-5 588 364 (BOLZA-SCHUENEMANN ET AL) 31 December 1996 (12/31/1996)
D8: WO 2005/021264 A (MASCHINENFABRIK WIFAG; MIESCHER, ANDRES; ZAHND,
ANDREAS) 10 March 2005 (03/10/2005)
D9: DE 102 44 046 A1 (KOENIG & BAUER AG) 1 April 2004 (04/01/2004)
D10: DE 102 61 983 A1 (KOENIG & BAUER AG) 8 April 2004 (04/08/2004)

2. INDEPENDENT CLAIM 1

- 2.1 The present application does not fulfill the requirements stated in Article 33(1) PCT, since the object of claim 1 is not novel as defined by Article 33(2) PCT. Document D4 discloses (references in parentheses refer to this document):
a device for adjusting (column 3, lines 59-60) contact pressure exerted by a roller in a roller strip (implicit) on an adjacent rotational body (column 4, lines 2-4), and/or for engaging said roller on the rotational body (abstract, lines 1-3), and/or for disengaging said roller from the rotational body, wherein each end of the same roller that is adjustable in terms of contact pressure and/or its position (column 2, lines 7-11) is seated in a support bearing having a roller mount (Figure 1) that is capable of radial travel, wherein each of these support bearings has at least one actuator (12) that acts on the roller, **wherein** at least one actuator (12) in a support bearing is controlled by a control unit (column 2, lines 57-60) separately and independently (implicit) of an actuator (12) in another support bearing (column 2, lines 16-17).

- 2.2 In view of documents D1-D3, D5-D7, the present application does not fulfill the requirements of Article 33(1) PCT, since the object of claim 1 is not based upon an inventive step as defined by Article 33(3) PCT.

3. INDEPENDENT CLAIM 6

- 3.1 The present application does not fulfill the requirements of Article 33(1) PCT, since the object of claim 6 is not based upon an inventive step as defined by Article 33(3) PCT. Document D1 is considered to be the closest prior art for the object of claim 6. It discloses (references in parentheses refer to this document):

a device for adjusting contact pressure exerted by a roller in a roller strip on an adjacent rotational body (paragraph [0009]) and/or for engaging said roller on the rotational body and/or for disengaging said roller from the rotational body (paragraph [0007]), wherein both ends of the same roller that can be adjusted in terms of contact pressure and/or its position (implicit) and/or at least one end of two different rollers that can each be adjusted in terms of contact pressure and/or their position (paragraph [00063]) are seated in a support bearing (20) having a roller mount (24) that is capable of radial travel, wherein each of these support bearings (20) has multiple actuators (31) that act on the respective roller and can be pressurized via a pressure medium, **wherein** a controllable device is allocated to each support bearing (implicit in [0009]).

The object of claim 6 thus differs from the prior art of D1, in that the controllable device pressurizes multiple actuators in the same support bearing, in each case synchronously, at a respective first pressure level in a first operating position, and at a respective second pressure level in a second operating position, wherein in both operating positions the respective pressure level that exists at the actuators differs from zero in each case for at least one of the actuators in the same support bearing.

The object to be attained with the present invention can thus be viewed as a simplification of adjustments to contact pressures in the two roller strips independently of one another.

The solution proposed in claim 6 of the present application cannot be viewed as inventive for the following reasons (Article 33(3) PCT): Document D2 describes (column 2, lines 61-68) a control unit (2, 20) in a printing machine with devices (15) that control multiple actuators that can be pressurized (18) via a pressure medium (column 1, lines 15-19) at different possible pressure levels. The teaching of D2 provides the same advantages as the present application. A person of ordinary skill in the art would thus view the incorporation of this control system in the printing machine described in D1 as a constructive measure for attaining the stated object.

3.2 In view of documents D3, D6 the present application also does not fulfill the requirements of Article 33(1) PCT with respect to inventive steps.

4. INDEPENDENT CLAIM 22 (see paragraph 6)

4.1 The present application does not fulfill the requirements of Article 33(1) PCT, since the object of claim 22 is not based upon an inventive step as defined by Article 33(3) PCT.

Document D1 is considered to be the closest prior art for the object of claim 22. It discloses (references in parentheses refer to this document):

A device

- for adjusting contact pressure exerted by a roller in a roller strip on an adjacent forme cylinder
- and/or for engaging said roller on the forme cylinder
- and/or for disengaging said roller from the forme cylinder, wherein at least one end of the roller is seated in a support bearing having a roller mount that is capable of radial travel, wherein the support bearing (21) has at least one actuator that acts on the roller,
- wherein a control unit **then** adjusts the value of the contact pressure in a roller strip that is formed with the forme cylinder to a new value (implicit in 0009]).

The object of claim 22 thus differs from the prior art from D1 in that the control unit adjusts the value of the contact pressure in a roller strip formed with the forme cylinder to a new value,

when an opening of a channel in the forme cylinder, formed in the circumferential surface of the forme cylinder, and this roller strip have no common overlapping surface.

The object to be attained with the present invention can thus be seen in that a rollover of the opening of the channel by the roller during the setting of the new value for the contact pressure exerted by said roller in this roller strip produces no negative effect.

The solution proposed in claim 22 of the present application cannot be viewed as inventive for the following reasons (Article 33(3) PCT): The characterizing feature "**when an ... opening of a channel ... have no common overlapping surface**" involves only one of many obvious possibilities from which one of ordinary skill in the art would be able to choose without inventive activity, based upon specific circumstances, for the purpose of attaining the stated object.

4.2 Nota bene: Documents D9, D10 are P documents

5. DEPENDENT CLAIMS 2-5, 7-21, 23-89 (see paragraph 6)

5.1 The dependent claims 2-5, 7-21, 23-89 appear to contain no additional characterizing features that, in combination with the characterizing features of any claim to which the

above-named claims refer, could result in an object that is based upon an inventive step. All of these characterizing features are known in the art or are part of the prior art and have already been used for the same purpose (see the corresponding citations from the International Search Report). Furthermore, these characterizing features relate only to structural embodiments that attain independent objects, without any surprising effects resulting from their combination.

6. CLARITY

- 6.1 The application does not fulfill the requirements of Article 6 PCT, since the claims 1, 6, 20, 22, 29-36, 75, 77-79, 84 are not clear.
- 6.2 Although claims 1, 6 were drafted as separate, independent claims, they appear actually to refer to one and the same object, and apparently differ from one another only in different definitions of the object for which protection is sought.
For this reason, the claims are not concisely worded, and they do not fulfill the requirements of Article 6 PCT.
- 6.3 As presented in what follows, a number of the characterizing features in the device claim 22 refer to a method for applying the device and not to the definition of the device with respect to its technical features. Thus, in contradiction of the requirements of Article 6 PCT, the intended limitations are not clearly expressed in the claim.
- 6.4 The claims 20, 29-36, 75, 77-79, 84 do not fulfill the requirements of Article 6 PCT since the object of the application for protection is not clearly defined. In these claims an attempt is made to define the object by the result to be achieved, or to relate the characterizing features in the device claims to a method for using the device; with this, however, only the object to be attained is indicated, without offering the technical features required to achieve this objective.